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On June 6, 2005

By

Ann Massey
Ann Massey

Attorney Docket No. 0256.210US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven Glazer, *et al.*

Application No: 10/506,954

US National Phase Application of International
Application No.: PCT/DK03/00127

Filed: September 8, 2004

International Filing Date: February 28, 2003

For: Interferon Beta-Like Molecules for
Treatment of Stroke

Examiner: Unassigned

Art Unit: Unassigned

RESPONSE TO NOTICE OF MISSING
REQUIREMENTS UNDER 35 USC 371 IN
THE UNITED STATES
DESIGNATED/ELECTED OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Missing Parts

Dear Sir:

In response to the "Notice of Missing Requirements Under 35 USC 271 in the United States Designated/Elected Office" mailed from the Patent Office on April 4, 2005, enclosed are the following documents to be made of record in the above-identified application. The deadline to respond is June 4, 2005, which being a Saturday, is extended to Monday, June 6, 2005. The enclosed documents are:

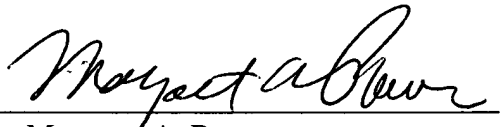
1. Copy of Notice of Missing Requirements Under 35 USC 271 in the United States Designated/Elected Office;
2. Fee Transmittal for FY2005;

Steven Glazer, et al.
Application No: 10/506,954
Page 2

3. Executed Declaration;
4. Computer Readable Form of Sequence Listing (Computer Diskette);
5. Statement Accompanying Sequence Listing in Accordance with 37 CFR §1.821; and
6. Return Acknowledgement Postcard.

Please charge a total of \$130.00 (surcharge) to Deposit Account No: 50-0990. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0990.

Respectfully submitted,

By: 
Margaret A. Powers
Attorney for Applicants
Reg. No. 39,804

June 6, 2005
MAXYGEN, INC.
Intellectual Property Department
515 Galveston Drive
Redwood City, California 94063
Telephone: (650) 298-5809
Facsimile: (650) 298-5446
Customer No. 30560

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**130.00**

Complete if Known

Application Number **10/506,954**
Filing Date **Sept. 8, 2004**
First Named Inventor **Steven Glazer**
Examiner Name **Unassigned**
Art Unit **Unassigned**
Attorney Docket No. **0256.210US**

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: **50-0990** Deposit Account Name: **Maxygen, Inc.**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		
		Multiple Dependent Claims
		Fee (\$)
		Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**
- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEES(S)

Non-English Specification, \$130 fee (no small entity discount) **Fees Paid (\$)**
Other (e.g., late filing surcharge): **130.00 surcharge for late filing of declaration** **130.00**

SUBMITTED BY

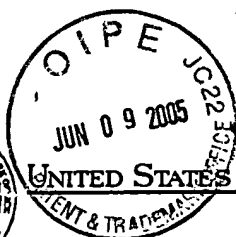
Signature *Margaret A. Powers* Registration No. **39,804** Telephone **650-298-5300**
(Attorney/Agent)
Name (Print/Type) **Margaret A. Powers** Date **6/6/05**

Certificate of Mailing under 37 C.F.R. §1.8

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Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450, Mail Stop: Missing Parts on the date below:

Typed or Printed Name: **Ann Massey**

Signature: *Ann Massey* Date: **June 6, 2005**

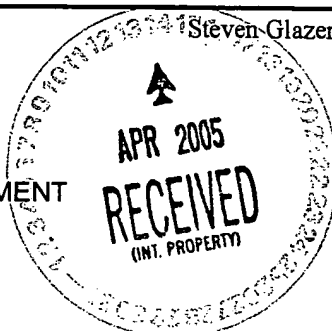
PCT
Box seg

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/506,954	FIRST NAMED APPLICANT Steven Glazer	ATTY. DOCKET NO. 0256.210US
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30560
MAXYGEN, INC.
INTELLECTUAL PROPERTY DEPARTMENT
515 GALVESTON DRIVE
RED WOOD CITY, CA 94063



INTERNATIONAL APPLICATION NO. PCT/DK03/00127	
LA. FILING DATE 02/28/2003	PRIORITY DATE 03/12/2002

CONFIRMATION NO. 6912

371 FORMALITIES LETTER



OC000000015641784

* Date Mailed: 04/04/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/08/2004
- Copy of the International Search Report filed on 09/08/2004
- Copy of IPE Report filed on 09/08/2004
- Preliminary Amendments filed on 09/08/2004
- Oath or Declaration filed on 09/08/2004
- Biochemical Sequence Listing filed on 09/08/2004
- Request for Immediate Examination filed on 09/08/2004
- U.S. Basic National Fees filed on 09/08/2004
- Priority Documents filed on 09/08/2004

DOCKETED on by 4/14/05 cam
Atty. map PA
File # 0256.210US
Due Date 6/4/05 Ext
Final Date 11/4/05 Notice of missing parts

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Late oath or declaration Surcharge.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- **ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,954	PCT/DK03/00127	0256.210US